

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 3/8/2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAMANTHA KUMARAN, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	1:20-cv-3668-GHW
	:	
-v -	:	
	:	
NATIONAL FUTURES ASSOCIATION, <i>et al.</i> ,	:	
	:	
Defendants.	:	
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	:	
SAMANTHA KUMARAN, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	1:20-cv-3873-GHW
	:	
-v -	:	<u>ORDER</u>
	:	
ADM INVESTOR SERVICES, INC.,	:	
	:	
Defendant.	:	
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GREGORY H. WOODS, United States District Judge:

On January 17, 2024, Judge Aaron stayed these actions until February 14, 2024 to permit Plaintiff Nefertiti Risk Capital Management, LLC (“NRCM”) to obtain new counsel. Dkt. No. 361.¹ On February 14, 2024, new counsel entered a notice of appearance on behalf of NRCM. Dkt. No. 362. Since then, Plaintiffs have requested extensions of the deadlines outstanding at the time the stay was entered and asked that the Court stay these actions pending resolution of the motion to transfer the cases to the District Court of Connecticut.

First, Plaintiff NRCM’s request for an extension to file objections to the report and recommendation at Dkt. No. 351 recommending denial of the motion to strike is granted. Dkt. No.

¹ All docket references are to 1:20-cv-3668 unless otherwise specified.

366. The deadline for Plaintiff NRCM to file objections to the denial of the motion to strike is extended to March 29, 2024. Plaintiff Kumaran also requested leave to amend her objections filed at Dkt. No. 368. *See* Dkt. No. 368. Plaintiff Kumaran may file amended objections no later than March 29, 2024. If she chooses to file amended objections, the Court will disregard her objections filed on February 29, 2024 at Dkt. No. 368. Any amended objections must adhere to the page limit specified by the Court's Individual Rules and may not incorporate by reference her previously filed objections. Responses to Defendant Kadlec's objections at Dkt. No. 359 to the order on the motion to strike are also due no later than March 29, 2024.

Second, Plaintiffs' requests for extensions to file their replies in support of objections to the denial of the motion to transfer at Dkt. No. 292 are granted. Dkt. Nos. 369, 370. The new deadline for Plaintiffs to file their replies is April 15, 2024.

Third, Plaintiffs' requests to stay these actions or adjourn or stay any deadlines in these actions pending the resolution of objections to the denial of Plaintiffs' motion to transfer is denied. *See* Dkt. Nos. 363, 365; 1:20-cv-3873, Dkt. No. 281. There are a number of other pending objections to motions in these actions that the Court needs to resolve. Staying objection and response deadlines could delay the resolutions of these motions for weeks or even months, especially given that Plaintiffs have requested, and been granted, a significant extension to file a reply regarding the motion to transfer.

Fourth, on August 17, 2023 Judge Aaron issued an order denying Plaintiffs' motion to compel arbitration against Defendant Kadlec. Dkt. No. 281. On November 22, 2023, the Court received notice that the arbitration of NRCM's claims against Defendant ADM Investor Services, Inc. had concluded. 1:20-cv-3873, Dkt. No. 249. If Plaintiffs wish to withdraw their motion to compel arbitration against Defendant Kadlec in light of this development, they are directed to notify the Court by March 12, 2024. Otherwise, the Court will proceed to rule on the objections to the

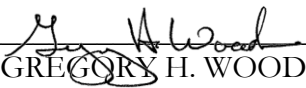
order denying Plaintiffs' motion to compel arbitration.

Finally, the Court will hold a conference on March 18, 2024 at 4:00 p.m. to discuss the Court's expectations for filings in these matters. The conference will be conducted by telephone. The parties are directed to the Court's Individual Rules of Practice in Civil Cases, which are available on the Court's website. Rule 2 of the Court's Individual Rules contains the dial-in number for the conference and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Individual Rules.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 366, 369 in case 1:20-cv-3688 and Dkt. No. 281, 285 in case 1:20-cv-3873.

SO ORDERED.

Dated: March 8, 2024
New York, New York



GREGORY H. WOODS
United States District Judge